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PTO/SB/97 (09-06)

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10/829430

MD1080USCNT

EXTENSION OF TIME, RESPONSE

Page _____ of _____

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CENTRAL FAX CENTER**JAN 08 2007****PATENT/Docket No. MD1080USCNT**

Serial No. 10/829,430

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1631
Examiner : Pablo S. Whaley
Applicant(s) : Michael Edward Schaffer
Serial Number : 10/829,430
Filed : 04/21/2004
For : Real Time Quantitative PCR with Intercalating Dye for Single and Multiplex Target DNA

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

This paper is filed in response to an Office Action mailed on December 15, 2006 the statutory period for response to end January 15, 2007.

EXTENSION OF TIME

Although this response is believed to be timely filed, if any additional extension and/or fee is required to keep this application pending, please charge Account No. 04-1928.

ELECTION OF SPECIES REQUIREMENT

Applicants are not entirely clear on what is being requested of them. There would appear to be a requirement to elect a "first" and a "second" target nucleic acid as recited in claim 7. Applicants elect:

A first target nucleic acid which is a lectin gene

A second target nucleic acid which is a 35S CaMV promoter.

TRAVERSAL OF THE REQUIREMENT

Applicants note that this application is a continuing application of a US national stage application (Serial No. 10/204,889) filed through the Patent Cooperation Treaty . MPEP Section